



14th March, 1800,

Read the first and second time, and ordered to be committed to a Committee of the whole House on Monday next.

A BILL

To amend the act intituled “An act providing for the sale of the lands of the United States, in the Territory North-West of the Ohio, and above the mouth of Kentucky river.

1 SEC. 1. **B**E it enacted by the Senate and House of Representatives of
2 the United States of America, in Congress Assembled, That all the
3 lands which by the act intituled “An act providing for the sale of the
4 lands of the United States in the Territory North-West of the Ohio,
5 and above the mouth of Kentucky river” were directed to be sold at
6 public sale, shall, before the same shall be offered for sale, be sub-divid-
7 ed under the direction of the surveyor general into half sections, con-
8 taining as nearly as may be, three hundred and twenty acres each,
9 bounded as nearly as may be, by lines running due north and south,
10 and due east and west, and extending as nearly as may be, one mile from
11 east to west, and one half mile from north to south. It shall be the du-
12 ty of the deputy surveyors, who shall thus sub-divide and survey the said
13 lands, in addition to the notes which, by the abovementioned act, they
14 are directed to make, and to return to the surveyor general concerning

the said lands, to return also the true quantity of land contained in each of the said half sections, and the true length and course of each of the lines bounding the same. The President of the United States shall fix the compensation of the deputy surveyor, chain-carriers, and axe-men; provided that the whole expense of surveying and marking the lines shall not exceed three dollars per mile, for every mile, that shall be actually run or surveyed. It shall be the duty of the surveyor general, to cause a description and fair plat to be made of the lands, thus surveyed, and to transmit copies of the same, to the Secretary of the Treasury, and to the several officers under whose direction the land is to be sold by the provisions of this act. And all the lands hereafter sold, either at public or private sale, shall be sold in half sections, and for the quantity which each shall respectively appear to contain in the plat thus made by the surveyor general.

SEC. 2. *And be it further enacted*, That all the half sections aforesaid (excluding the sections by the abovementioned act reserved) shall be offered for sale at public vendue, under the direction of such superintendent or superintendants as may be appointed for that purpose by the President of the United States, at the following places and times, *that is to say*: all those which lie in the seven first ranges of townships and north of the same, and of the lands appropriated for military bounties, shall be offered for sale at Pittsburg, on the third Monday of November eighteen hundred and one; all the lands contained in the nine next ranges of townships, shall be offered for sale at Marietta, on the third Monday of October eighteen hundred and one; all the lands lying west of the sixteen first ranges of townships and east of the river Scioto, shall be offered for sale at Chillicothe on the first Monday of May eighteen

14 hundred and one; and all the lands lying below the Little Miami river,
15 shall be offered for sale at Cincinnati on the first Monday of April,
16 eighteen hundred and one; the sales to remain open in each place for
17 three weeks and no longer: *Provided always*, that none of the lands shall
18 be sold for less than two dollars per acre; and that, after the public sales
19 shall have been closed, all the lands that shall have been offered for sale,
20 and remain unsold, may be disposed of at private sale, at the rate of
21 two dollars per acre, in the manner hereinafter directed.

1 SEC. 3. *And be it further enacted*, That for the sale of such lands
2 as, after having been offered for sale at public vendue as aforesaid, shall
3 remain unsold, four land offices shall be opened in the North Western
4 Territory, *that is to say*: one at Steubenville for the sale of the lands
5 remaining unsold within the eight northernmost ranges of the seven first
6 ranges of townships and within the tract lying north of the said seven first
7 ranges of the lands appropriated for military bounties; another at Ma-
8 rietta, for the sale of the lands remaining unsold within that part of the
9 seven first ranges which lies south of the eight northernmost ranges of
10 the same, and for the sale also, of the lands remaining unsold of those
11 which shall have been offered for sale at public vendue at Marietta; and
12 the others at Chillicothe and Cincinnati for the sale respectively of the
13 lands remaining unsold of those which shall have been offered for sale at
14 public vendue at the said places respectively, each of which offices,
15 shall be opened two months after the days on which the public sales shall
16 have been closed respectively. Each of the said offices shall be under
17 the direction of an officer to be called "Register of the land office"
18 who shall be appointed by the President of the United States, with con-
19 sent of the Senate, who shall give bond with sufficient security in the

sum of _____ for the faithful discharge of the duties of his office, and who shall reside at the place where the land office is directed to be kept. And it shall be the duty of the superintendants of public sales to transmit within sixty days after the public sales shall have been closed, the description and plat of the lands, together with an accurate account of the half sections, which shall have been sold, by them, to the register of the land office, where the lands remaining unsold, are to be disposed of at private sale: *Provided always*, that nothing in this act contained shall prevent the same person being appointed superintendant of the public sales and register of the land office.

SEC. 4. *And be it further enacted*, That the payments for lands that may be sold by virtue of this act, either at public or private sale, may be made in evidences of the public debt of the United States, at the rates prescribed by the act entitled "An act to authorize the receipt of evidences of the public debt, in payment for the lands of the United States," and shall be made in the following manner, and under the following conditions, viz.

I. At the time of purchase, every purchaser shall, exclusively of the fees hereafter mentioned, pay three dollars for every half section he may have purchased, for surveying expences, and deposit one twentieth part of the amount of purchase money, to be forfeited, if, within thirty days, in case of public sale, and within three months, in case of private sale, one fourth part of the purchase money, including the said twentieth part, is not paid.

II. One fourth part of the purchase money shall be paid within thirty days, in case of public sale, and within three months, in case of private sale, after the day of sale as aforesaid: another fourth part shall be

18 paid within two years ; another fourth part within three years ; and an-
19 other fourth part within four years, after the day of sale.

20 III. No interest shall be charged in case of punctual payment ; but
21 interest, at the rate of six per cent. a year, shall be charged from the
22 date of the purchase, on any part of the purchase money, which shall
23 not have been paid at the times respectively when the same shall have
24 become due.

25 IV. A discount, at the rate of eight per cent. a year, shall be allowed
26 on any of the three last payments, which shall be paid before the same
27 shall become due.

28 V. If the first payment of one fourth part of the purchase money
29 shall not be made within thirty days after the day of sale, in case of pub-
30 lic sale, and within three months after the day of purchase, in case of
31 private sale, the deposit, payment and fees, paid and made by the pur-
32 chafer, shall be forfeited, and the lands shall and may, from and after
33 the day when the payment of one fourth part of the purchase money
34 should have been made, be disposed of at private sale, on the same
35 terms and conditions, and in the same manner, as the other lands di-
36 rected by this act to be disposed of at private sale : Provided, that the
37 lands which shall have been sold at public sale, and which shall, on ac-
38 count of such failure of payment, revert to the United States, shall
39 not be sold at private sale for a price less than the price that shall have
40 been offered for the same at public sale.

41 VI. If any tract shall not be completely paid for within one year after
42 the date of the last payment, the tract shall be sold in such manner as
43 shall be provided by law ; and after paying the balance due to the Uni-
44 ted States, including interest and expences of sale, the surplus, if any,
45 shall be returned to the original purchaser.

1 SEC. 5. *And be it further enacted*, That all and every the payments to
2 be made by virtue of the preceding section, shall be made either to the
3 Treasurer of the United States, or to such person or officer as shall be
4 appointed "Receiver of public monies for lands of the United States,
5 sold by virtue of this act," at each of the places respectively where the
6 public and private sales of the said lands are to be made : And it shall
7 be the duty of the said Treasurer and Receiver of public monies to give
8 receipts for the monies by them received, to the persons respectively
9 paying the same ; to transmit, within thirty days, in case of public sale,
10 and quarterly, in case of private sale, an account of all the public mo-
11 nies by them received, specifying the amount received from each per-
12 son, and distinguishing the sums received for surveying expences, and
13 those received for purchase money, to the Secretary of the Treasury,
14 and to the Superintendants or Registers of the Land-Office, as the
15 case may be. The said receivers of public monies shall, within three
16 months after receiving the same, transmit the monies by them received
17 to the Treasurer of the United States : And the receivers of public
18 monies for the said sales, and also the receivers of public monies
19 for the sales which have taken place at Pittsburg, under the act
20 intitled "An act providing for the sale of the lands of the United States,
21 in the Territory North-West of the Ohio, and above the mouth of
22 Kentucky river", shall receive one per cent on the money received, as a
23 compensation for clerk-hire, receiving, safe keeping and transmitting it
24 to the Treasury of the United States.

1 SEC. 6. *And be it further enacted*, That it shall be the duty of the
2 registers of the land offices, respectively, to receive and enter on books
3 kept for that purpose only, and on which no blank leaves or space shall

4 be kept between the different entries, the applications of any person
5 or persons who may apply for the purchase of any half section or half
6 sections, and who shall pay him the fee hereafter mentioned, and pro-
7 duce a receipt, from the Treasurer of the United States, or from the
8 Receiver of public monies appointed for that purpose, for three dollars
9 for each half section such person or persons may apply for, and for at
10 least one twentieth part of the purchase money, stating carefully in
11 each entry the date of the application, the date of the receipt to him
12 produced, the amount of monies specified in the said receipt, and the
13 number of the half section, township and range applied for. If two or
14 more persons shall apply at the same time for the same tract, the Re-
15 gister shall immediately determine by lot, in presence of the parties,
16 which of them shall have preference. He shall file the receipt for mo-
17 nies produced by the party, and give him a copy of his entry, and if
18 required, a copy of the description of the tract, and a copy of the plat
19 of the same, or either of them; and it shall be his duty to inform the
20 party applying for any one tract, whether the same has already been en-
21 tered, purchased, or paid for, and at his request to give him a copy of
22 the entry, or entries concerning the same. He shall three months after
23 the date of each application, if the party shall not have within that time
24 produced to him a receipt of the payment of one-fourth part of the
25 purchase money, including the twentieth part above mentioned, enter
26 under its proper date, in the said book of entries, that the payment
27 has not been made, and that the land has reverted to the United States,
28 and he shall make a note of the same in the margin of the book oppo-
29 site to the original entry. And if the party shall, either at the time of
30 making the original entry, or at any time within three months thereafter,

31 produce a receipt to him for the fourth part of the purchase money,
32 including the twentieth part aforesaid, he shall file the receipt, make an
33 entry of the same under its proper date in the said book of entries, make
34 a note of the same in the margin of the book opposite to the original
35 entry, and give to the party a certificate, describing the land sold, the
36 sum paid on account, the balance remaining due, the time when such
37 balance became due, and that if it shall be duly discharged, the pur-
38 chaser, or his assignee, or other legal representative, shall be entitled to
39 a patent for the said lands. He shall also, upon any subsequent payment
40 being made, and a receipt from the receiver being produced to him,
41 file the original receipt, give a receipt for the same to the party, and
42 enter the same to the credit of the party in a book kept for that pur-
43 pose, in which he shall open an account in the name of each purchaser,
44 for each half section that may be sold either at public or private sale,
45 and in which he shall charge the party for the whole purchase money
46 and give him credit for all his payments, making the proper charges
47 and allowances for interest or discount as the case may be, according to
48 the provisions of the fourth section of this act, and upon the payment
49 being completed, and the account finally settled, he shall give a certifi-
50 cate of the same to the party : And on producing to the Secretary of
51 the Treasury the same final certificate, the President of the United
52 States is hereby authorized, to grant a patent for the lands to the said
53 purchaser, his heirs or assigns. And all patents shall be countersigned
54 by the Secretary of State, and recorded in his office.

1 SEC. 7. *And be it further enacted*, That the Registers of the Land
2 Offices respectively, shall also note on the book of surveys, or original
3 plat, transmitted to them, every tract which may be sold by inserting the

4 letter A on the day when the same is applied for, and the letter P on the
5 day when a receipt for one fourth part of the purchase money is pro-
6 duced to them, and by crossing the said letter A on the day when the
7 land shall revert to the United States, on failure of the payment of one
8 fourth part of the purchase money within three months after the date of
9 application. And the said book of surveys or original plat, shall be
10 open at all times, in presence of the register for the inspection of any in-
11 dividual applying for the same, and paying the proper fee.

12 SEC. 8. *And be it further enacted*, That it shall be the duty of the Re-
13 gisters of the Land-Offices, to transmit quarterly to the Secretary of the
14 Treasury, and to the surveyor-general an account of the several tracts
15 applied for, of the several tracts for which the payment of one fourth
16 part of the purchase money has been made, of the several tracts which
17 have reverted to the United States on failure of the said payment, and
18 also an account of all the payments of monies by them entered, accor-
19 ding to the receipts produced to them, specifying the sums of money,
20 the names of the persons paying the same, the names of the officers who
21 have received the same, and the tracts for which the same have been
22 paid.

23 SEC. 9. *And be it further enacted*, That the registers aforesaid shall
24 be precluded from entering on their books any application for lands in
25 their own name and in the name of any other person in trust for them;
26 and if any register shall wish to purchase any tract of land he may do it,
27 by application in writing to the surveyor general, who shall enter the
28 same on books kept for that purpose by him, and who shall proceed in
29 respect to such applications and to any payments made for the same in
30 the same manner which the registers by this act are directed to follow in

9 respect to applications made to them for lands by other persons. The
 10 registers shall nevertheless note on the book of surveys, or original plat,
 11 the applications and payments thus by them made, and their right to the
 12 preemption of any half section shall bear date from the day when their
 13 application for the same shall have been entered by the surveyor gene-
 14 ral in his own book. And if any person applying for any half section, shall,
 15 notwithstanding he shall have received information from the register
 16 that the same has already been applied for by the said register, or by any
 17 other person, insist to make the application, it shall be the duty of the
 18 register to enter the same, noting in the margin that the same half section
 19 is already purchased; but upon application of the party made in writing,
 20 and which he shall file, he may, and shall, at any future time, enter
 21 under its proper date, that the party withdraws his former application,
 22 and applies in lieu thereof for any other tract: *Provided always*, That
 23 the party shall never be allowed thus to withdraw his former application,
 24 and to apply in lieu therefore for another tract, except when the half
 25 section described in his former application shall have been applied for
 26 previous to the date of that his former application.

1 SEC. 10. *And be it further enacted*, That the Secretary of the Trea-
 2 sury shall, and may prescribe such further regulations in the manner
 3 of keeping books and accounts by the several officers, in ~~this act~~ men-
 4 tioned, as to him may appear necessary and proper, in order fully to
 5 carry into effect the provisions of this act.

1 SEC. 11. *And be it further enacted*, That the Registers of the land
 2 offices respectively, shall be entitled to receive from the Treasury of
 3 the United States, one half per cent on all the monies expressed in the
 4 receipts by them filed and entered, and of which they shall have transf-

mitted an account to the Secretary of the Treasury as directed by this act; and they shall further be entitled to receive for their own use, from the respective parties, the following fees for services rendered; *that is to say*, for every original application for land and copy of the same, two dollars; for every certificate stating that the first fourth part of the purchase money is paid, fifty cents; for every subsequent receipt for monies paid, twenty-five cents; for the final settlement of account and giving the final certificate of the same, one dollar; for every copy either of an application, or of the description of any half section, or of the plat of the same, or of any entry made on their books, or of any certificate heretofore given by them, twenty-five cents for each; and for any general inspection of the book of surveys or general plat made in their presence, fifty cents.

SEC. 12. *And be it further enacted*, That the superintendants of the public sales, to be made by virtue of this act, and the superintendants of the sales which have taken place by virtue of the act, entitled "An act providing for the sale of the lands of the United States in the territory north-west of the river Ohio, and above the mouth of Kentucky river", shall receive five dollars a day for every day whilst engaged in that business, and the accounting officers of the Treasury, are hereby authorized to allow a reasonable compensation for books, stationery and clerk-hire in settling the accounts of the said superintendants.

SEC. 13. *And be it further enacted*, That the fee to be paid for each patent for half a section, shall be four dollars, to be accounted for by the receiver of the same.

SEC. 14. *And be it further enacted*, That the lands of the United States reserved for future disposition may be let upon leases, by the

3 Surveyor General, in half sections, for terms not exceeding seven years,
4 on condition of making such improvements as he shall deem reasonable.

1 SEC. 15. *And be it further enacted*, That so much of the "act providing
2 for the sale of the lands of the United States in the Territory North-
3 West of the river Ohio, and above the mouth of Kentucky river", as
4 comes within the purview of this act be and the same is hereby repealed.